

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

CATHERINE SABIN,

Plaintiff,

2002-CV-0080

v.

**ST. CROIX BASIC SERVICES, UNITED
STEELWORKERS OF AMERICA, UNITED
STEELWORKERS OF AMERICA, LOCAL
CHAPTER 8248**

Defendants.

**TO: Lee J. Rohn, Esq.
Bernard C. Pattie, Esq.
Michael J. Sanford, Esq.**

ORDER DENYING PLAINTIFF'S MOTION TO COMPEL

THIS MATTER came before the Court upon Plaintiff's Motion to Compel Defendant to Provide Supplemental Responses to Discovery (Docket No. 106). Defendants United Steelworkers of America (USWA) and United Steel Workers of America, Local Chapter 8248, filed a response thereto.

Having reviewed the documents filed by the said parties, the Court makes the following findings:

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Demand For Production No. 1: Said Defendants state that they have produced all responsive documents. Defendants' response is adequate. Defendants need not supplement.

Demand For Production No. 2: Said Defendants state that they have produced all responsive documents. Defendants' response is adequate. Defendants need not supplement.

Demand For Production No. 4: Said Defendants state that they have produced all responsive documents. Defendants' response is adequate. Defendants need not supplement.

Demand For Production No. 5: The Court sustains Defendants' objections. Defendants need not respond.

Demand For Production No. 7: Said Defendants state that no documents satisfy this request. The Court cannot order the production of documents that do not exist. Consequently, Defendants' response is adequate. Defendants need not supplement.

Demand For Production No. 9: The Court sustains Defendants' objections. Defendants need not respond.

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Demand For Production Nos. 12 and 13: The Court sustains Defendants' objections. Defendants need not respond.

Demand For Production No. 14: Said Defendants state that they are no longer in possession of documents regarding union dues paid by Plaintiff as a result of their document retention policy and the passage of time. The Court cannot order production of documents not within Defendants' custody or control. Consequently, Defendants' response is adequate. Defendants' need not supplement.

Demand For Production No. 15-20: Said Defendants state that they have produced the Collective Bargaining Agreement. Based upon such representation, the Court finds that Defendants have adequately responded to this interrogatory. Plaintiff may renew her motion if she disputes this finding.

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Demand For Production No. 21: Said Defendants state that they have produced all responsive documents. Defendants' response is adequate. Defendants need not supplement.

Demand For Production No. 23: The Court sustains Defendants' objections. Defendants need not respond.

Interrogatory No. 9: The Court sustains Defendants' objections. Defendants need not respond.

Interrogatory No. 10: Said Defendants state that they have produced all responsive documents. Defendants' response is adequate. Defendants need not supplement further.

Interrogatory No. 11: Said Defendants state that they have provided all responsive information. Defendants' response is adequate. Defendants need not supplement further.

Interrogatory No. 13: Said Defendants state that they have provided all responsive information. Defendants' response is adequate. Defendants need not supplement further.

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Interrogatory No. 14: Said Defendants state that they have provided all responsive information. Defendants' response is adequate. Defendants need not supplement further.

Interrogatory Nos. 15-20: The Court sustains Defendants' objections. Defendants need not respond.

Accordingly, it is hereby **ORDERED** that Plaintiff's Motion to Compel Defendant to Provide Supplemental Responses to Discovery (Docket No. 106) is **DENIED**.

ENTER:

Dated: May 2, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE